

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	Mohamed Rashid Kone aka Mamadou Kouna Debtor	Case No.: 21-10950-mdc Chapter: 13
	BSI Financial Services as servicer for U.S. Bank Trust National Association, as Trustee of the Bungalow Series III Trust Movant v.	Judge: Magdeline D. Coleman Hearing Date: July 22, 2021 at 9:30 am
	Mohamed Rashid Kone aka Mamadou Kouna William C. Miller - Trustee Respondents	

OBJECTION TO CONFIRMATION OF PLAN

PLEASE TAKE NOTICE that BSI Financial Services as Servicer for U.S. Bank Trust National Association as Trustee of the Bungalow Series III Trust (“Secured Creditor”), the holder of a mortgage on real property of the Debtor’s, located at 254 Ashby Road, Upper Darby, PA 19082, by and through its undersigned attorneys, hereby objects to the confirmation of the Chapter 13 Plan on grounds including:

1. Debtor’s plan as proposed states the Debtor shall have until December 31, 2022 to obtain a loan modification and if a loan modification is not achieved by that date, an amended plan or a Motion to Convert Case to a Chapter 7 is to be filed. The requirements of 11 U.S.C. 1322(d)(2) do not provide for payment over a period longer than 5 years. Moreover, the debtor is obligated to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C. 1322(b)(5). As Debtor’s current proposed plan is dependent on the approval of a loan modification, confirmation must be denied.

2. Debtor's plan fails to correctly provide for the regular monthly mortgage payments owed to the Secured Creditor. The objecting creditor is due payments in the amount of \$976.93 monthly, as set forth in a Proof of Claim filed on May 7, 2021.

In the event any portion of the claim is deemed to be an unsecured claim as defined by the Code, objection is hereby made pursuant to 11 U.S.C. 1325(a)(4) and 1325(b), *et seq.* unless the plan provides for full payment of the claim.

Dated: May 13, 2021

FRIEDMAN VARTOLO, LLP.

By: /s/ Lorraine Gazzara Doyle
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